



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

DENISE CARLON, ESQUIRE

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Attorneys for Movant

Toyota Motor Credit Corporation

In Re:

Marguerite Mooney,

Debtor.

Order Filed on September 4, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-31351 CMG

Adv. No.:

Hearing Date: 12/20/17

Judge: Christine M. Gravelle

**ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S OBJECTION
TO DEBTOR'S CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby

ORDERED

DATED: September 4, 2018

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Page 2

Debtor:
Case No.:
Caption:

Marguerite Mooney
17-31351 CMG

**ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S
OBJECTION TO DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Toyota Motor Credit Corporation, the holder of a lien on Debtor's vehicle, a 2015 TOYOTA CAMRY , VIN:4T1BF1FK5FU931404, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for the Secured Creditor and Steven J. Abelson Esq., attorney for Debtor, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** that Secured Creditor's lien shall be paid in full through Debtor's Chapter 13 plan at an interest rate of 5.00%; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the parties mutually agree on a value of \$13,000.00 for the subject vehicle; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the total due to Secured Creditor, including interest, shall be \$14,719.56, consisting of the agreed value of \$13,000.00 and \$1,719.56 in interest that will accrue during the course of Debtor's Chapter 13 plan over 60 months;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that if the length of Debtor's plan is adjusted to more than 36 months, the interest due under the plan will increase accordingly, and this order is subject to amendment; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the Contract extras and warranties are to be cancelled within 30 days; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the Debtor shall maintain insurance on the vehicle in accordance with the terms of the loan documents during the entirety of this case and shall furnish proof of same annually and upon request;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that Toyota Motor Credit Corporation's lien shall remain on the subject vehicle until Debtor has completed all plan payments and receives a discharge in this case; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** Toyota Motor Credit's lien will only be released upon the Debtor's receipt of his discharge and completion of his

Page 3

Debtor: Marguerite Mooney
Case No.: 17-31351 CMG
Caption: **ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S
OBJECTION TO DEBTOR'S CHAPTER 13 PLAN**

Chapter 13 Plan. Any dismissal of the case or conversion to a Chapter 7 will result in a full reinstatement of the lien; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that the lien shall be released and extinguished upon the successful completion of the Debtor's Chapter 13 plan; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that Toyota Motor Credit Corporation shall file a release of the lien within 30 days of the date of the service of Debtor's discharge; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that in the event Toyota Motor Credit Corporation fails to discharge the mortgage within the prescribed period, the Debtor and/or Debtor's counsel may file a certified or exemplified copy of this order, along with a copy of the bankruptcy discharge order, which shall have the same force and effect of a discharge of lien; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that Toyota Motor Credit Corporation's objection to confirmation is hereby resolved.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
 Marguerite Mooney
 Debtor

Case No. 17-31351-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Sep 05, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 07, 2018.

db +Marguerite Mooney, 320 Center Street, Tuckerton, NJ 08087-2104

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 07, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 5, 2018 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com

Albert Russo docs@russotrustee.com

Aleksander P. Powietrzynski on behalf of Creditor JPMORGAN CHASE BANK, N.A.
 alex@winstonandwinston.com

Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
 dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Nicholas V. Rogers on behalf of Creditor THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS SUCCESSOR IN INTEREST TO JPMORGAN CHASE BANK, N.A. F/K/A JPMORGAN CHASE BANK, AS TRUSTEE FOR WAMU MORTGAGE PASS-THROUGH CERTIFICATES et.al. nj.bkecf@fedphe.com

Rebecca Ann Solarz on behalf of Creditor Toyota Motor Credit Corporation
 rsolarz@kmllawgroup.com

Steven J. Abelson on behalf of Debtor Marguerite Mooney sjaesq@atrbklaw.com,
 atrbk1@gmail.com;r49787@notify.bestcase.com
 U.S. Trustee USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 8